

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

03 MAR 17 AM 10:33

U.S. COURTS
SOUTHERN DISTRICT

MANUEL F. RAMOS AND WIFE,
HILDA GRACIELA RENDON RAMOS,
INDIVIDUALLY AND AS NEXT
FRIENDS OF HILDA GRACIELA
RAMOS, A MINOR

§

§

C.A. NO. L-88-59

VS.

§

JAMES E. GEDDES, INDIVIDUALLY,
ET AL

§

**APPLICATION OF MANUEL F. RAMOS AND WIFE,
HILDA GRACIELA RENDON RAMOS, FOR DISTRIBUTION
OF MONIES IN THE REGISTRY OF THE COURT**

TO THE HONORABLE JUDGE OF SAID COURT:

Now come MANUEL F. RAMOS AND WIFE, HILDA GRACIELA RENDON RAMOS, INDIVIDUALLY AND AS NEXT FRIENDS OF HILDA GRACIELA RAMOS, A MINOR, by and through their attorney of record, Donato D. Ramos, and file this their Application for Distribution of Monies in the Registry of the Court and in support thereof would state as follows, viz:

I.

On March 14, 1991, this Honorable Court signed a Judgment pursuant to a settlement with Defendant, Driscoll Foundation Children's Hospital, whereby Sixty Thousand and No/100 (\$60,000.00) Dollars were deposited into the Registry of the Court and to be distributed only upon application to this Court. The movants herein are the natural parents and guardian of Hilda Graciela Ramos, a minor (SSN 461-93-5803) and the said minor is a paraplegic who also suffers from Down Syndrome and has suffered from that illness since birth. The minor's medical picture and day to day care has been very complicated and has become more complicated as the child gets

older. The movants herein have incurred medical expenses on a annual basis since March of 1991 and continue to incur same. During the year 1995, Movants herein requested and obtained some monies from this Court to assist them with the medical expenses and needs of Hilda Graciela Ramos. It has been over seven (7) yeas since Movants have asked for monetary assistance from this Court. The financial circumstances of Movants has substantially changed because Manuel F. Ramos, the father of Hilda Graciela Ramos, no longer has the income which he previously had since he lost his prior employment.

II.

The approximate yearly fixed expenses total the sum of \$12,550.00 for which Movants request reimbursement. In October 2002, Hilda Graciela Ramos began receiving Supplemental Security Income in the sum of \$368.00 per month and which totals the sum of \$4,416.00 through date. Additionally, Movants incur variable annual expenses which vary from year to year. See attached Exhibit A for more detail as to the Fixed Annual Expenses and Variable Annual Expenses. Additionally, Movants request that this court authorize the payment of \$38,604.00 to cover the cost of remodeling the master bedroom to accommodate a handicap shower and converting the garage into a much needed handicap playroom. Hilda is a grown child who requires special equipment for day-to-day movement and care and who needs a playroom so she can more comfortably and safely play and spend her time on a daily basis. A detailed proposal and bid for the construction is attached hereto as Exhibit B.

III.

Movants herein request that this Honorable Court authorize the release of funds for expenditures incurred on behalf of minor and also additional funds for the construction and modification of the existing master bedroom and playroom. This Honorable Court had previously named Fernando G. Gutierrez, Jr., a practicing attorney in Laredo, Webb County, Texas to be

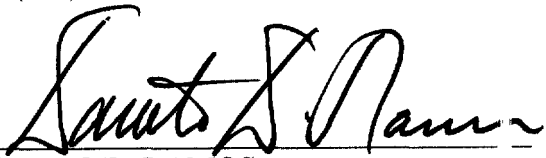
Guardian Ad Litem for Hilda Graciela Ramos, a minor. The Movants herein will notify and serve a copy of this Motion on Mr. Gutierrez and request that this Court set this matter for hearing.

WHEREFORE, PREMISES CONSIDERED, Movants herein request that this matter be set for a hearing and that Fernando G. Gutierrez, Jr. be given notice of such hearing and that the court authorize Movants herein to spend funds as set out above and that the District Clerk issue funds as may be ordered by this Court.

Respectfully submitted,

LAW OFFICES OF DONATO D. RAMOS
Walker Plaza, Suite 101
5810 San Bernardo Ave. (78041)
P.O. Box 452009
Laredo, Texas 78045
Telephone: (956) 722-9909
Facsimile: (956) 727-5884

BY:


DONATO D. RAMOS
State Bar No. 16508000
Attorney for Movants, Manuel
F. Ramos and wife, Hilda
Graciela Rendon Ramos

FIAT

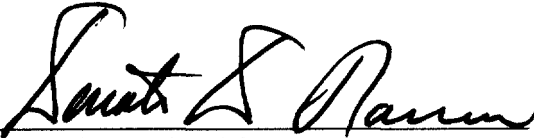
The Application of Manuel F. Ramos and wife, Hilda Graciela Ramos Rendon, for Distribution of Monies in the Registry of the Court is hereby set for hearing on the ____ day of _____, 2003, at _____ o'clock ____ M. in the United States District Courtroom in Laredo, Webb County, Texas.

SIGNED on this the ____ day of _____, 2003.

GEORGE P. KAZEN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Application of Manuel F. Ramos and wife, Hilda Graciela Rendon Ramos, for Distribution of Monies in the Registry of the Court has been mailed, certified mail, return receipt requested, to Mr. Fernando G. Gutierrez, 604 Matamoros, Laredo, Texas 78040, on this 13~~th~~ day of March, 2003.


DONATO D. RAMOS

HILDA GRACIELA RAMOS RENDON**Fixed Annual Expenses**

Item Description	Dollars/yearly expenses
Diapers and accessories	\$ 4,700.00
Mattress and accessories	\$ 1,500.00 (4 x year)
TVs and VCRs	\$ 600.00 (2 x year)
Doctor's visits and medicines	\$ 1,000.00
Home help	\$ 3,500.00
Clothing	<u>\$ 1,250.00</u>
TOTAL	<u>\$12,550.00</u>

Variable Annual Expenses

Floor tile (2)	\$ 4,500.00 (1 x 5 years)
Wheel chair	\$ 3,600.00 (1 x 3 or 4 years)
Baby Jogger	\$ 1,250.00 (1 x 3 or 4 years)
Entertainment (video cassettes, educational programs)	<u>\$ 500.00</u>
TOTAL	<u>\$ 9,850.00</u>

Fixed Annual Expenses	\$12,550.00
Less	<u>-4,416.00*</u>
Expenses over Income	<u>\$ 8,134.00</u>

* This sum represents the monthly Social Security Administration Supplemental Income which is in the amount of \$368.00 per month since October 2002.

EXHIBIT A

JUAN M. GONZALEZ CONSTRUCTION, INC.

3820 Cedar Ave.

Laredo, TX 78041

Phone: (956) 722-4445

Fax: (956) 728-0154

January 21, 2002

COST BREAKDOWN

Mr. & Mrs. Manuel Ramos
2405 Littler Court
Laredo, TX 78043

The following is a proposal for work to be done at 2405 Littler Court. The work will consist of demolishing and remodeling master bathroom to accomodate handicap shower and converting garage into handicap playroom. The cost breakdown is as follows:

Handicap Master Bathroom

• Break concrete and patch	\$ 1,912.00
• Plumbing	1,800.00
• Ceramic Tile	2,400.00
• Finish Floors	1,020.00
• Door opening	350.00
• New door installed	225.00
• Rough Carpentry	540.00
• Sheetrock	360.00
• Paint	720.00
• Electrical	225.00

JUAN M. GONZALEZ CONSTRUCTION, INC.

3820 Cedar Ave.

Laredo, TX 78041

Phone: (956) 722-4445

Fax: (956) 728-0154

Handicap Game Game

• Concrete	\$ 1,200.00
• Rough Carpentry	1,100.00
• Finish Carpentry	1,725.00
• Plumbing	2,700.00
• Doors	625.00
• Ceramic Tile	1,710.00
• Paint	1,800.00
• Lumber	2,400.00
• Electric (\$300.00 Light fix allowance)	1,510.00
• Gypsum and insulation	1,300.00
• Finish Floors	3,757.00
• Vanity	575.00
• Air condition	1,900.00
• Cleaning	450.00
• Subtotal	\$32,304.00
• Contractor's Fee	<u>6,300.00</u>
• T o t a l	<u>\$38,604.00</u>

Thank you,

Juan M. Gonzalez Jr.